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**STATE OF DELAWARE**  
**BOARD OF PHARMACY**

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<b>PUBLIC MEETING NOTICE:</b>	<b>BOARD OF PHARMACY</b>
<b>DATE AND TIME:</b>	<b>Wednesday, October 16th at 9:30 am</b>
<b>PLACE:</b>	Conference Room A, 2nd Floor Cannon Building 861 Silver Lake Blvd., Dover, DE 19904
<b>APPROVED:</b>	

**MEMBERS PRESENT**

Hooshang Shanehsaz, R.Ph., Professional Member, President  
Ruth Dixon, R.Ph., Professional Member, Vice President  
Bonnie Wallner, R.Ph., Professional Member  
Mark Mervine, Public Member  
Tejal Patel, PharmD, MBA, Professional Member  
Susan Esposito, R.Ph., Professional Member  
Nicholas Juliano, PharmD., Professional Member

**MEMBERS ABSENT**

Gayle MacAfee, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Kelly, Deputy Attorney General  
Geoffrey Christ, Executive Secretary  
Jason Slavoski, PMP Administrator  
Virginia Jackson, Administrative Specialist III

**ALSO PRESENT**

Suzanne Raab-Long  
Alicia Palombo  
Andrew Babb  
Kim Pham  
Michelle Nunlee  
Steve Meadows  
Laura Malinowski  
Marion Malinowski  
K Z Robbins  
Elizabeth L. Zubaca

**CALL TO ORDER**

Mr. Shanehsaz called the meeting to order at 9:30 a.m.

**REVIEW OF MINUTES**

A Motion was made by Ms. Esposito, and seconded by Ms. Patel to approve the September 18, 2019 meeting minutes. The motion unanimously carried.

## **UNFINISHED BUSINESS**

### **Statutory and Regulatory Discussion**

None

## **NEW BUSINESS**

### **PRESIDENT'S REPORT**

Mr. Shaneshaz reported that he attended the Pharmacy Benefit Manager task force meeting. The Board of Pharmacy President is statutorily required to attend the meetings. This task force was formed to examine the practices of pharmacy benefit managers. One of the goals is to increase transparency and safety for Delaware residents. Mr. Shaneshaz also reported that he attended another statewide meeting for groups within State government that purchase pharmaceuticals.

### **Executive Director's Report**

Mr. Christ stated that October is National Pharmacy Month. He asked that pharmacists and technicians statewide be commended on the service they provide to the residents of Delaware. Mr. Christ also introduced Ms. Virginia Jackson as the new Board Liaison for the Board of Pharmacy. Ms. Jackson has been with the Division of Professional Regulation for 7 years in various capacities. Finally, Mr. Christ relayed to the Board some communications he has gotten from pharmacists practicing in community settings. The pharmacists wished to remain anonymous because they feared pushback from their employer. Mr. Christ told the Board he explained the complaint process to each caller and encouraged them to file a complaint if they felt there was an issue affecting patient safety.

### **Review of Consent Agreement:**

#### **1. Charles Benton #13-01-19:**

Ms. Kelly explained that the amended Consent Agreement for Mr. Benton contained all of the proposed changes that the Board sent back during the September meeting. Mr. Juliano made a motion to accept the amended Consent Agreement for Mr. Benton. The motion was passed with 5 members in favor, 1 dissent, and 1 recusal.

*Ms. Shaneshaz read into the record the following ratifications:*

### **Pharmacist and Intern Licensure Approval Ratifications**

#### **Pharmacist:**

A1-0005449	Le, Trinh Thi Tuyet	Pharmacist
A1-0005450	Kim, Eunae	Pharmacist
A1-0005451	Patel, Purvi D.	Pharmacist
A1-0005452	Yu, Ying	Pharmacist
A1-0005453	Prajapati, Komal V.	Pharmacist
A1-0005454	Southern, Stephen Paul	Pharmacist
A1-0005455	Patel, Mayan Umesh	Pharmacist
A1-0005456	Kariuki Raughley, Yvonne Rosemary	Pharmacist
A1-0005457	Hussain, Bilal	Pharmacist
A1-0005458	Uguru, Emmanuel Kalu	Pharmacist

**Non-Resident Pharmacy Licensure Approval Ratifications**

A9-0002412	KnippeRx Inc.	Non Resident Pharmacy
A9-0002413	Ruskin Pharmacy	Non Resident Pharmacy
A9-0002414	Accredo Health Group, Inc.	Non Resident Pharmacy

**Wholesale Distributor Licensure Approval Ratifications**

A4-0002685	J. Knipper and Company, Inc.	Pharmacy - Wholesale
A4-0002686	Matrix Distributors	Pharmacy - Wholesale

**Medical Gas Distributor Licensure Approval Ratifications**

None

**Manufacturer**

None

**Retail Pharmacy Licensure Approval Ratification**

None

**Non-Retail Pharmacy Licensure Approval Ratification**

None

**Outsourcing Facility**

None

**Hospital**

None

Ms. Patel made a motion to ratify all licenses, Ms. Esposito seconded the motion. The motion passed unanimously.

**Board Review of Facility Applications**

None

**Board Review of Pharmacist Applications**

None

**Board Review of Disciplinary Action Received**

None

**Board Review of Hearing Officer Recommendation**

None

### **Pharmacist and Pharmacy - Discussion/Action Items**

None

### **COMMITTEE REPORTS**

**Legislative** – Tejal Patel, Hooshang Shanehsaz, Bonnie Wallner, Nicholas Juliano and Gayle MacAfee

There was no meeting in September. Mr. Shaneshaz proposed postponing this month's Legislative Committee Meeting until November so that the Board had adequate time to review Ms. Kelly's draft bill. Mr. Shaneshaz also suggested that Mr. Mervine be added to the Legislative Committee.

**Professional Liaisons** – Tejal Patel and Hooshang Shanehsaz:

Mr. Shaneshaz asked for volunteers to be the Board of Pharmacy liaison for The Delaware Pharmacist's Society. Mr. Juliano and Ms. Dixon volunteered. They will work together and make sure one of them is available to attend meetings.

**Controlled Substance Liaisons** – Tejal Patel, Hooshang Shanehsaz:

Mr. Christ briefly reviewed the proceedings from the Controlled Substance Advisory Committee meeting on September 25, 2019.

### **INSPECTION REPORT - Michelle McCreary**

Ms. McCreary was absent from the meeting and no report was submitted.

### **PMP REPORT – Jason Slavoski**

*Mr. Slavoski reported the following:*

- He has resumed discussions with Kentucky to begin sharing PMP information.
- Walgreens has been approved for PMP integration and is actively exchanging information.
- Ms. Kelly has been assisting Mr. Slavoski with contract negotiations with RxCheck.
- The Department of Public Health is spearheading a pharmacist education program with the Division of Professional Regulation focusing on the PMP.
- He is currently working on the first set of invoices for the Opioid Impact Fee.
- He will be attending the National Association of State Controlled Substance Authorities meeting next week.

### **Pharmacist-In-Charge Interviews**

Ms. Patel made a motion to amend the agenda to include Kim Pham to the pharmacist in charge interviews. The motion was seconded by Ms. Esposito. The motion passed unanimously.

Mr. Shanehsaz conducted the pharmacist-in-charge interviews, reviewing regulations and sole responsibilities of PIC to the statute and regulation pursuant to Regulation 3.1, 15.6.1 and 16.3.

### **Physician Assistant Council Report**

Mr. Shanehsaz reported that there was no meeting in September. He also reported that he will be attending the upcoming meeting in October.

### **BOARD CORRESPONDENCE**

Mr. Christ read correspondence from NABP regarding the delay in implementation of USP Chapters 795, 797, and 800

### **OTHER BUSINESS BEFORE THE BOARD (Discussion Only)**

Ms. Esposito relayed concerns that she has heard from a number of physicians about patient safety and service at chain pharmacies. Some physicians are steering patients away from chain pharmacies.

Mr. Shaneshaz expressed concern about the reimbursement rates from Pharmacy Benefit Managers.

Ms. Patel informed the Board that NABP allowed Delaware to postpone hosting the District 1 and 2 Meeting from 2022 until 2024. New Jersey will be forming a planning committee for the 2022 meeting. A Delaware Board member will need to be the vice chair of that committee in order to facilitate knowledge transfer for when Delaware hosts in 2024.

### **PUBLIC COMMENT**

Kim Robbins with Delaware Pharmacist's Society reported that there was a meeting tonight at the Levin Center in Smyrna. She encouraged members of the Board to attend.

Ms. Robbins reported that four members of DPS are serving on the newly created Pharmacy Benefit Manager Task Force and invited others to attend the meetings.

Ms. Robbins spoke about legislation introduced in other states that would affect Pharmacy Benefit Managers.

Ms. Robbins voiced concerns about the negative impact of the prior authorization process on pharmacy patients. She stated that the process leaves patients "in the middle."

Ms. Robbins reported that the Pharmacy Technician Certification Board (PTCB) is working on certifications for pharmacy technicians in specialty areas.

Ms. Robbins repeated her concerns with the lack of technician licensing or registration in Delaware.

Alicia Palombo from CVS reported that Rhode Island recently passed legislation that created different classes of technicians. As a result, technicians are now administering immunizations in Rhode Island.

Ms. Palombo also reported that pharmacists in jurisdictions that allow delegation of certain tasks to technicians are able to spend more meaningful time with their patients.

Ms. Palombo reported that Idaho has a study forthcoming about patient safety in relation to the expansion of technician duties.

### **NEXT SCHEDULED MEETING**

The next meeting is scheduled for November 20, 2019 at 9:30 a.m., 2nd Floor Conference Room.

### **ADJOURNMENT**

There being no other business before the Board, a motion to adjourn the meeting was made by Ms. Patel, and seconded by Mr. Juliano at 10:54 am. The motion unanimously carried.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Geoffrey Christ', with a stylized flourish at the end.

Geoffrey Christ, R.Ph., J.D.  
Executive Secretary, Delaware Board of Pharmacy